

Naples City Council

October 28, 2010

Minutes

The regularly scheduled meeting of the Naples City Council was held October 28, 2010, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Ken Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Tamera Kendall, Cole Kendall, Laura Young, Chris Millar, Emery Merkley, Jim Harper, Levi Smith, Seth Taylor, Meghan Bradshaw, Melinda Bender, Madhuri, L., Lon Brinkerhoff, Bryan Boren, Misty Critton, Connie Patton, Mark Watkins, Chris Hoem, Craig Blunt and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Gordon Kitchen offered the invocation.

OPENING CEREMONY

Dennis Long **moved** to approve the agenda. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of October 14, 2010. Mayor Baker wanted to include the approval of the ice jams with the approval of the heat tape under the discussion on page six. Dennis Long wanted to make sure about the correct spelling of the word "weir" under the discussion for the Halliburton road. Robert Hall **moved** to approve the minutes of October 14, 2010 with the discussed changes. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Councilman Hall wanted to know if Mayor Baker was going to participate in the Mayor's walk for Halloween. Mayor Baker said he would be out of town. Mayor Baker asked Nikki to check with Shauna Jo and see if a representative from Naples would be needed.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Councilman Kitchen said the scheduling of the new ball park field was discussed at the Recreation District meeting and it was decided that the City would need to determine how to

schedule the field. Mayor Baker asked Nikki to place a discussion regarding the new ball field for the second Council meeting in January.

Councilman Long pointed out that the application for Nomad Fabrication was included again with the Council information but not included as one of the business license approvals. Nikki apologized for the oversight and asked if it could be added to the list. Mayor Baker asked the Council to add the business to the list for approvals. Councilman Dan Olsen arrived at this time.

Connie Patton presented the bills in the amount of \$62,135.30 and requested approval to pay them. Councilman Hall asked about the separate billings for reject sand. Jim Harper said the road department picked up twelve different loads of sand. Nikki said the City pays by invoice and the company billed for each load picked up. Gordon Kitchen moved to approve the bills in the amount of \$62,135.20. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

APPROVAL OF THE BILLS

Ashley Auto, Inc. - 1348 S 1500 E. A business license application was submitted for Ashley Auto, Inc. Lon Brinkerhoff, the owner of the business, was in attendance. Craig Blunt explained that Mr. Brinkerhoff would be using the lot at the north end of the bays located at 1348 S 1500 E. Councilman Hall asked about the sales tax number. Craig said Mr. Brinkerhoff would need a sales tax number and also a car dealership license from the state. Craig said the business fits within the zone and Mr. Brinkerhoff has agreed to the line of sight restrictions for placing cars along the highway and the corner of 1300 South. Dennis Long **moved** to approve the business contingent upon obtaining a sales tax number and the state license. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVALS

Extreme Wireline, Inc. - 1608 E 500 S. Seth Taylor, a co-owner for Extreme Wireline, introduced himself to the Council. Craig Blunt explained that this business is located in

the proper zone and the only thing lacking was a proper fire inspection. Craig said the building is still being used by Jackson Diesel and as soon as they move out he will complete that inspection. Mayor Baker asked about the state tax number. Mr. Taylor said they won't need a number, they won't be collecting sale tax. Gordon Kitchen **moved** to approve the business license for Extreme Wireline, Inc. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Gluten-Free Cottage, Inc. - 1585 S 500 E. Misty Critton, owner of Gluten-Free Cottage, was in attendance at the meeting. Mayor Baker asked her to explain what she would be doing. Ms. Critton said she will be selling gluten free products from her home. Ms. Critton said she grew up with family members suffering from celiac disease and wanted a way to provide a greater variety of gluten free foods for those who struggle with this disease. She hoped to eventually be able to build a small shop on their property for the business. Ms. Critton said she read the home occupation criteria and believes she can adhere to those guidelines. Craig Blunt recommended approving the home occupation business. Robert Hall **moved** to approve the license with adherence to the home occupation rules and receipt of a tax ID number. Dan Olsen **seconded** the motion. The motion passed with all voting affirmatively.

Shelley Thurgood Salon - 1321 S 1900 E. A business license application was received from Shelley Thurgood to conduct a single chair hair cutting business out of her home. Craig said Ms. Thurgood meets the criteria for a home occupation business. Gordon Kitchen **moved** to approve the license for Shelley Thurgood. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Nomad Fabrication - 775 South 1500 East. The Council reviewed the business license application for Nomad Fabrication. This license request was put on hold from a previous meeting until Craig could speak with the owner. Craig said he was able to contact the owner and found out Mr. Gorecki will be a subcontractor for the owner of Mountain Land Welding and will need a business license to be able to do that. Craig said a tax ID number is not required because he will not be selling anything. Dennis Long **moved** to approve the business license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Craig Blunt reminded the Council about the 700' of bad asphalt on 1000 South. Craig said the City has asked for an additional two year bond from JB Gordon Construction in order to see what happens to the road. Craig said the bond will cover the entire road and not just the defective section. This was for information only.

***1000 SOUTH ROAD
MAINTENANCE BOND
EXTENSION***

Craig Blunt gave the Council the bid from 1st Green Lawns for installation of heat tape and snow jams at the City office. Craig said the Council approved an amount of \$6,000 at the last meeting and the bid showed \$6,725. The bid amount does not include the heat tape in the gutter. Craig said he would need at least an additional \$800. Robert Hall **moved** to approve up to \$8,000 for the project. Gordon Kitchen **seconded** the motion. The motion passed as follows:

***EXPENDITURE FOR
SNOW JAMS AND HEAT
TAPE***

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

Craig Blunt asked the Council to consider purchasing collection drain boxes for 2000 E 500 S and 1500 S 2000 E. He said now would be a good time to fix the drainage problem on 500 South while the road is dug up and before the asphalt is laid. He said on 1500 South the property owner filled in the bar ditch and the water has no where to run. He stated the water collects in the intersection and causes ice to build up in the winter. He said it would be nice to install a box and fix this problem before winter. The estimate was \$2,375 per box. Councilman Kitchen recommended going up to \$2,500 per box. Dennis Long **moved** to approve up to \$5,000 for the boxes. Kenneth Reynolds **seconded** the motion. The motion passed as follows:

***EXPENDITURE FOR
COLLECTION DRAIN
BOXES***

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

Craig Blunt asked for approval to attend several training classes. He asked to attend the City Manager's conference and three classes for code updates. The total for the travel requests was \$360. Dan Olsen **moved** to approve all of the travel requests. Robert Hall **seconded** the motion. The

TRAVEL APPROVAL

motion passed with the following vote:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

Chief Watkins asked the Council for approval to send Lieutenant Escoto and Corporal Cox to Layton for child abuse training. Chief Watkins explained that the CJC will be picking up the cost of motel rooms and the only amount requested was three days per diem for each officer. Dennis Long **moved** to approve \$90 per each officer for travel. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

Jim Harper asked for Council approval to send three people to Orangeville for winter road maintenance training. Jim said the road department signed up to take the class in Vernal and then it was canceled. He wanted to attend and also have Ryan and Szeth attend. Mayor Baker wanted to know why there was no travel request submitted. Jim said he wasn't asking for per diem because they were traveling down for a half a day class. Gordon Kitchen **moved** to approve \$90 for the three to travel. Dennis Long **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

Chris Hoem came before the Council to discuss the form-based codes that were received and reviewed by the Planning Commission. Chris said the Commission has finally approved the latest presentation of the form-based codes. Chris said the codes are for the downtown commercial area only and cover regulations for signs, architecture, etc. Councilman Reynolds said the Commission has been

***PRESENTATION AND
REQUEST TO APPROVE
FORM-BASED CODES***

reviewing the document for months and feel good about how it has turned out. Chris said the code has also been reviewed by the City Attorney. Kenneth Reynolds **moved** to approve the form-based codes. Dennis Long **seconded** the motion. Before calling for a roll call Nikki Kay asked if the Council wanted to approve payment to Tracy Stocking for the codes. Mayor Baker asked Chris if he was satisfied with what he has received. Chris said the only problem they are having is due to a software problem. He said not all of the pictures that display on the computer, print onto the hard copy. Chris said Tracy Stocking is aware of the problem and they are working to correct it. Chris said he would like to have all the images print before approving the payment. Council members wanted to approve the code as an Ordinance and wanted a number for it. Mayor Baker wanted to know what ordinance the form-based codes would need. It was given the number of 10-127. The motion by Councilman Reynolds passed with a roll call vote as follows:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

The latest revision to the park use regulations was given to Council for their review. Mayor Baker wanted to know if Dennis Judd was able to give his opinion. Nikki Kay said she had not received anything back from Mr. Judd. Councilman Hall wanted to know about placing no smoking signs at the park. Councilman Kitchen wanted to know how you would enforce it. Councilman Hall said it was a big issue this last year as they were playing ball. Councilman Hall said if it is in the regulations, you should have a sign posted. Councilman Hall wanted to know who would be responsible for getting the signs. Craig Blunt also thought the "no alcohol" clause should be listed under unlawful acts, even though it is detailed in the regulations. Craig thought the use of recreational vehicles should also be listed under the unlawful acts. Mayor Baker said they can always go back and change the regulations if needed but he wanted to get this adopted so they could get the signs up at the park. Councilman Kitchen asked Craig to coordinate the language and placement of the signs with Neal Cathey in order to get the appropriate signs for the City and the Recreation District. Kenneth Reynolds **moved** to approve Ordinance 10-126 with the changes discussed. Dennis Long **seconded** the

***ORDINANCE 10-126 PARK
USE REGULATIONS***

motion. The motion passed with a vote as follows:

Robert Hall	Aye
Gordon Kitchen	Aye
Dennis Long	Aye
Dan Olsen	Aye
Kenneth Reynolds	Aye

Craig Blunt had copies of the policies for the fire department. Craig said he spoke with Dennis Judd and they both believed that when the Fire District was organized, the existing firemen for Naples City would remain under the City's policies and any new ones would be regulated under the District's policies. Craig said the Council could choose to review those policies and try and match the two as closely as possible. Councilman Hall said they could probably match them as closely as possible except for the benefit section. Mayor Baker said the Council could review the policy for the Naples City firemen and decide if they want to match it to the District's. Councilman Hall said it would certainly lessen confusion. This was given to the Council for their information. Craig said, with the Council's approval, he will start working on those revisions. Councilman Hall said he could get Craig an electronic copy of the District's policy. Councilman Hall said they could mirror the policy except for the benefits, the use of the building, the payment schedule, and picking the Chief. Mayor Baker said he didn't want to lose the right to select the Chief. Craig said he could leave those and try and make it as close to the District's as possible.

FIRE DEPARTMENT POLICIES

Council members were given a paper showing that Naples City was given a compliance rate of 82% for the census. Mayor Baker stated the residents of Naples City should be congratulated for how well they participated in the census.

OTHER MATTERS

Mayor Baker also pointed out the handout for the sales tax exemption hearings for mining equipment that were being held in Price. Mayor Baker said it doesn't directly affect the City but gave it for information. Craig said if the oil shale or tar sands ever take off then it might affect this area.

Craig Blunt asked the Council to consider a date for the employee Christmas party. The date of the 6th was discussed and Councilman Kitchen wasn't sure if he had a conflict with that date. Councilman Kitchen said he would get back with Nikki and let her know. If the 6th was not good, the Council decided the 13th would be another acceptable date.

With no other business before the Council, Dennis Long moved to adjourn the meeting at 8:30 p.m. Ken Reynolds seconded the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 11th DAY OF NOVEMBER 2010

BY: _____

ATTEST: _____